IN THE UNITED STATES DISTRICT COURT FOR THE DISTRCIT OF SOUTH CAROLINA CHARLESTON DIVISION

CIVIL ACTION NUMBER: 2:21-cv-613-RMG

Gary Nestler, et al,))
Plaintiffs,)))
v.)
The Bishop of Charleston, a Corporation Sole, <i>et al</i> ,	 DEFENDANTS' REPLY IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT
Defendants.)
))

As the Court found and determined both in its Order denying class certification [Dkt. 84] and its Order denying reconsideration [Dkt. 95] the record before the Court reflects that *these* Plaintiffs in *this* case cannot prove the essential elements of the claims alleged in the Amended Complaint. By their own testimony, the Plaintiffs have shown they suffered no legally cognizable injury as a result of the matters alleged. By their own admission, Plaintiffs cannot establish any claim against any Defendant. The record clearly and unequivocally reflects that there remain no genuine issues of fact and Defendants are entitled to judgment as a matter of law on all claims. No additional discovery can change that – the Plaintiffs claims fail as a matter of law and should be dismissed.

Without a shred of evidence to support their meritless claims, summary judgment is appropriate and Plaintiffs' claims should be dismissed with prejudice.

Respectfully submitted,

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